

### **REMARKS**

This paper is responsive to the Final Office Action (the “Final Action” hereinafter) mailed on April 13, 2007. Applicants thank the Examiner for noting that claims **1-3** contain allowable subject matter (see Final Action, page 4).

The specification has been amended on page 1 in the “Cross-Reference to Related Applications” section to update the priority information. In particular, U.S. Patent Application No. 09/335,644 has issued and is now U.S. Patent No. 6,317,723, and the priority data has been amended to reflect this fact. No new matter has been added.

Claims **86-102** have been canceled without prejudice herein, and claims **4-85** were previously cancelled. Claims **103-108** have been added.

In view of the remarks that follow, Applicants respectfully request entry of the above amendments as it is believed that the present claim amendments place the application in condition for allowance by cancelling claims **86-102**, as explained below. Accordingly, Applicants respectfully request entry of these amendments pursuant to 37 C.F.R. §1.116(b). (See also, MPEP §§714.12, 714.13).

Upon entry of the amendments, claims **1-3 and 103-108** will be pending.

#### **The Restriction Requirement**

Claims **86-102**, which were added in our previous response, were deemed to be directed to an independent or distinct invention, and were withdrawn from consideration by the Examiner as being drawn to a non-elected invention. In order to expedite allowance of the present application, claims **86-102** have been canceled herein without prejudice. Applicants reserve the right to file these claims in a divisional patent application.

#### **The Double Patenting Rejection**

Claims **1-3** were rejected on the judicially-created ground of nonstatutory obviousness-type double patenting as being unpatentable over at least claims 6, 8 and 15 of U.S. Patent No.

5,926,796, claims 1-5 of U.S. Patent No. 6,334,113, over at least claims 1, 8-10 and 17 of U.S. Patent No. 6,317,723, and at least over claims 1, 10 and 19 of U.S. Patent No. 6,470,322.

Applicants do not necessarily agree with this rejection, but file herewith a “REVOCATION OF PRIOR POWER(S) OF ATTORNEY, AND APPOINTMENT OF POWER(S) OF ATTORNEY” along with a Terminal Disclaimer to obviate the double patenting rejection, and thus to expedite the prosecution of the present application.

In view of the above remarks and the present Terminal Disclaimer, it is submitted that the double patenting rejection of pending claims **1-3** is moot and should be withdrawn.

### **New Claims 103-108**

New claims **103-108** have been added. Of these, claims **103 and 106** are independent claims.

Independent claim **103** recites a method for establishing a subscription to a periodical and includes the same limitations recited by claim **1**. Similarly, independent claim **106** recites a computer readable medium that stores instructions configured to direct a processor to establish a subscription to a periodical that includes the same limitations found in claim **1**. Thus, even though claims **103 and 106** are in different statutory classes, these claims should be allowable for the same reasons as claim **1**. In addition, dependent claims **104, 105, 107 and 108** recite features equivalent to those found in dependent claims **2 and 3**, and thus these dependent claims should also be allowable.

In view of the above remarks, Applicants respectfully submit that new claims **103-108** are allowable over the cited art for at least the same reasons as claims **1-3**.

**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that pending claims **1-3 and 103-108** are in condition for allowance. Thus, the Examiner's early re-examination and reconsideration are respectfully requested. If the Examiner has any questions regarding this amendment or the present application, please contact Stephan Filipek at (203) 461-7252 or via electronic mail at [sfilipek@walkerdigital.com](mailto:sfilipek@walkerdigital.com).

Applicants do not believe that any fees are due, but if a fee accrues or if a fee is otherwise necessary to continue prosecution of the present application, please charge any such required fee to our Deposit Account No. 50-0271. In addition, please credit any overpayment to Deposit Account No. 50-0271. Further, if a petition for any extension of time should be required, please grant such petition as appropriate.

Respectfully submitted,

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Date

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